

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

DR. MELVIN G. PERRY, JR.,
Plaintiff,

v.

**PEDIATRIC INPATIENT CRITICAL
CARE SERVICES, P.A., and VHS SAN
ANTONIO PARTNERS, LLC d/b/a
NORTH CENTRAL BAPTIST
HOSPITAL**
Defendant.

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CIVIL ACTION NO. 5:18-CV-00404-XR

**DEFENDANT PEDIATRIC INPATIENT CRITICAL CARE SERVICES, P.A.'S
DESIGNATION OF EXPERTS**

PURSUANT to the Court's Scheduling Order entered on July 20, 2018 [Doc. No. 15], Defendant Pediatric Inpatient Critical Care Services, P.A. ("PICCS") files its designation of expert witnesses:

A. RETAINED EXPERT

Defendant PICCS has not retained any experts in the instant matter. Defendant PICCS reserves the right to cross any expert designated by the other parties in this case. Defendant PICCS reserves the right to use testimony and/or records or reports of any expert witness who has been designated or identified as an expert witness by any party in this lawsuit. Defendant also reserves the right to supplement or amend this designation as may be necessary as the discovery period continues.

B. NON-RETAINED EXPERTS

Angella H. Myers, Sharon S. Gilmore, and Janice S. Parker
The Myers Law Group, LLP

DEFENDANT PEDIATRIC INTENSIVE CRITICAL CARE, P.A.'S EXPERT DESIGNATION

8144 Walnut Hill Lane, Suite 390
Dallas, Texas 75231
(972) 781-2400

Ms. Myers, Ms. Gilmore, and/or Ms. Parker will testify as to the reasonableness and necessity of the attorney's fees incurred in this matter. Ms. Myers, Ms. Gilmore, and/or Ms. Parker will testify to the number of hours worked on the file, the fees, expenses and costs incurred; familiarity with the issues in this case, as well as their education, training, and expertise in the field of law. Moreover, Ms. Myers, Ms. Gilmore, and/or Ms. Parker will testify in rebuttal to any testimony or evidence Plaintiff may offer on the subject of Plaintiff's attorney's fees. Copies of their resumes are available upon request. More information about the attorneys can be found at The Myers Law Group, LLP website: <http://www.themyerslawgroup.com>.

C. CROSS-DESIGNATION OF PLAINTIFF'S EXPERTS

On December 11, 2018, the Court permitted to file a motion for leave if Plaintiff determined at a later time that experts might be warranted. *See* Docket Text. Should Plaintiff's motion for leave be granted, Defendant PICCS further reserve the right through cross-examination or deposition, to call any expert witness identified by Plaintiff.

D. RESERVATION OF RIGHTS

Defendant PICCS reserves the right to cross any expert designated by the other parties in this case.

Defendant PICCS further reserves the right to call all employees and custodians of business records to testify or to offer into evidence deposition testimony regarding their business records should Plaintiff makes such designation.

Defendant PICCS reserves the right to withdraw the designation of any expert witness and to aver that such previously designated expert will not be called as an

expert witness at trial and to re-designate same as a consulting expert, who cannot be called by opposing counsel.

Defendant PICCS reserves the right to call undesignated expert witnesses in rebuttal, whose identification and testimony cannot reasonably be foreseen until the other Parties have presented their evidence at trial.

Defendant reserves the right to elicit any expert testimony and/or lay opinion testimony that would assist the jury in determining material issues of fact and that would not violate the Federal Rules of Civil Procedure and/or the Federal Rules of Evidence.

Defendant PICCS reserves all additional rights it may have with regard to expert witnesses and testimony under the Federal Rules of Civil Procedure, the Federal Rules of Evidence, case law, and ruling of this Honorable Court.

Respectfully submitted,

THE MYERS LAW GROUP, LLP

/s/ Angella H. Myers

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***ATTORNEYS FOR DEFENDANT
PEDIATRIC INPATIENT CRITICAL
CARE SERVICE, P.A.***

CERTIFICATE OF SERVICE

The undersigned certified that on this, the **28th** day of December **2018**, a true and correct copy of *Defendant PICCS' Designation of Experts* was served upon all counsel of record, as indicted below, via electronic mail.

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/s/ Angella H. Myers

Angella H. Myers